

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOSEPH A. FERRARA, SR., FRANK H. FINKEL, :
MARC HERBST, DENISE RICHARDSON, :
THOMAS F. CORBETT, ANTHONY D'AQUILA, :
THOMAS GESUALDI, LOUIS BISIGNANO, :
DOMINICK MARROCCO, and ANTHONY : Civil Action No.: 11-CV-03309
PIROZZI, as Trustees and Fiduciaries of the Local : (JG)(JO)
282 Welfare Trust Fund, the Local 282 Pension :
Trust Fund, the Local 282 Annuity Trust Fund, the :
Local 282 Job Training Trust Fund, and the Local :
282 Vacation and Sick Leave Trust Fund, :
:
Plaintiffs, :
- against - :
:
LIBERTY MECHANICAL WATER & SEWAR :
MAIN, INC. and MALOTA PLUMBING :
CONTRACTING CORP., :
:
Defendant. :
:
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**AMENDED NOTICE OF DEPOSITION UPON ORAL EXAMINATION OF
DEFENDANT MALOTA PLUMBING CONTRACTING CORP**

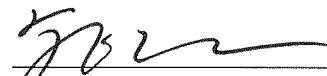
TO:

Malota Plumbing Contracting Corp.
c/o Charles T. Bistany, Esq.
399 Knollwood Road
White Plains, NY, 10703

PLEASE TAKE NOTICE that beginning on August 3rd, 2012 at 10:00 a.m. at
the office of Charles T. Bistany, Esq., 399 Knollwood Road, White Plains, NY 10703, plaintiffs
will take the deposition upon oral examination of Malota Plumbing Contracting Corp.
("Malota") pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure before a person
authorized to administer oaths. The deposition will be recorded stenographically and will
continue from day to day until completed.

This notice names Malota as the deponent. Under the provisions of Federal Rule of Civil Procedure 30(b)(6) Malota is required to identify and produce for deposition one or more officers, directors, managing agents, or other persons who consent to testify on its behalf and are the officers, directors, agents, or employees most knowledgeable as to information known or reasonably available to defendant Malota. The matters for examination will be (1) the administration of Malota's labor relations, (2) the books and records of Malota and all other documents produced by Malota in this litigation, (3) the assignment, supervision and location of driving work performed by or for Malota, (4) the relationship between Malota and Liberty Mechanical Water & Sewer Main, Inc. ("Liberty"), (5) vehicles used by Malota in performing driving work, and (6) any overlap in the administration, operations or management of Malota and Liberty.

Dated: July 23, 2012
New York, New York



Zvi N. Mackson
COHEN, WEISS and SIMON LLP
330 West 42nd Street
New York, New York 10036
(212) 563-4100

Attorneys for Plaintiff

So Ordered:

James Orenstein
U.S. Magistrate Judge